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Yee &  
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**SEP 16 2002**

<b>To: Assistant Commissioner of Patents for Examiner: Melanie A. Kemper Group Art Unit: <u>3622</u></b>	<b>Facsimile No.: 703/872-9327</b>
<b>From: Dell Whitton, sent for Cheryl Hewitt Legal Assistant to Patrick Holmes</b>	<b>No. of pages including cover sheet: 13</b>
<b>Message:</b>  <b>Enclosed herewith:</b> <ul style="list-style-type: none"> <li>• Transmittal Document; and</li> <li>• Response to Final Office Action.</li> </ul>	
<b>Re: Application No. 09/400,583 Attorney Docket No: CR9-99-049</b>	
<b>Date: Monday, September 16, 2002</b>	
<b>Please contact us at (972) 367-2001 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</b>	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

**GROUP 3600**

**PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION  
BY FAXING A CONFIRMATION TO 972-367-2002.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Official

In re application of: **Busche et al.**

Serial No.: **09/400,583**

Filed: **September 22, 1999**

**For: Method and System for  
Integrating Spatial Analysis and Data  
Mining Analysis to Ascertain  
Favorable Positioning of Products in a  
Retail Environment**

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Group Art Unit: **3622**

Examiner: **Kemper, Melanie A.**

Attorney Docket No.: **CR9-99-049**

**FAX RECEIVED**

**SEP 16 2002**

**GROUP 3600**

Certificate of Transmission Under 37 C.F.R. § 1.8(a)  
I hereby certify this correspondence is being transmitted via  
facsimile to the Assistant Commissioner of Patents, Washington,  
D.C. 20231, facsimile number (703) 872-9327 on September 16,  
2002.  
By: *Dell Whitton*  
Dell Whitton

**TRANSMITTAL DOCUMENT**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

ENCLOSED HEREWITH:

- Response to Final Office Action

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

Respectfully submitted,

*Duke W. Yee*  
Duke W. Yee

Registration No. 34,285

CARSTENS, YEE & CAHOON, LLP

P.O. Box 802334

Dallas, Texas 75380

(972) 367-2001

ATTORNEY FOR APPLICANTS

*#7/Response  
for (NE)  
9-17-02*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Busche et al.**

Serial No.: **09/400,583**

Filed: **September 22, 1999**

For: **Method and System for  
Integrating Spatial Analysis and Data  
Mining Analysis to Ascertain  
Favorable Positioning of Products in a  
Retail Environment**

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Group Art Unit: **3622**

Examiner: **Kemper, Melanie A.**

Attorney Docket No.: **CR9-99-049**

<p><b><u>Certificate of Transmission under 37 C.F.R. § 1.8(a)</u></b>  I hereby certify this correspondence is being transmitted via  facsimile to the Assistant Commissioner of Patents,  Washington, D.C. 20231, facsimile number (703) 872-9327  on September 16, 2002.</p> <p>By: <u><i>Dell Whitton</i></u>  Dell Whitton</p>
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**RESPONSE TO OFFICE ACTION**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

In response to the Final Office Action dated August 27, 2002, please amend the above-identified application as follows: